

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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DATE FILED: 11/29/18

XL SPECIALTY INSURANCE COMPANY,

Plaintiff,

- against -

PRESTIGE FRAGRANCES, INC.,

Defendant.

ORDER

18 Civ. 733 (PGG)

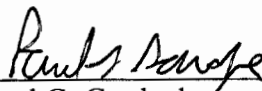
PAUL G. GARDEPHE, U.S.D.J.:

On July 18, 2018, Plaintiff XL Specialty Insurance Company filed a motion to dismiss certain claims and to strike certain allegations from Defendant Prestige Fragrances, Inc.'s second amended counterclaim. (Dkt. No. 33) On November 26, 2018, this Court granted Plaintiff XL Specialty Insurance Company leave to amend its complaint, and granted Defendant Prestige Fragrances, Inc., leave to file an amended answer and counterclaim in response. (See Dkt. No. 42) Given this development, Plaintiff's motion to dismiss and strike certain claims and allegations from Defendant's second amended counterclaim is denied as moot.

The Clerk of the Court is directed to terminate the motion. (Dkt. No. 33)

Dated: New York, New York
November 29, 2018

SO ORDERED.



Paul G. Gardephe
United States District Judge